UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ASPEN SPECIALTY INSURANCE COMPANY,	)))	
Plaintiff,	))	
v.	))	Case No. 1:18-cv-04281
CROSSROADS REAL ESTATE PARTNERS, LLC,	)))	
Defendant.	)))	

STIPULATION TO DISMISS WITHOUT PREJUDICE

COMES NOW Plaintiff, ASPEN SPECIALTY INSURANCE COMPANY ("Aspen"), by counsel, and stipulates to dismiss, without prejudice, its Amended Complaint against CROSSROADS REAL ESTATE PARTNERS, LLC. Aspen further states:

1.   Aspen filed its original Complaint for Declaratory Judgment against CROSSROADS REAL ESTATE PARTNERS, LLC ("Crossroads"), AMBER SHADID, and HASSAN MOHAMMED on June 20, 2018. (Doc. 1).

2.   Aspen stipulated to the dismissal, without prejudice, of AMBER SHADID and HASSAN MOHAMMED on July 26, 2018. (Doc. 8).

3.   Aspen filed its Amended Complaint on August 23, 2018, naming Crossroads as the sole defendant. (Doc. 10).

4.   The Amended Complaint (as well as the original complaint) seek a declaration that Aspen owes no insurance obligations to Crossroads in connection with a civil lawsuit captioned *Amber Shadid and Mohammed Hassan v. Crossroads Real Estate Partners, LLC, successor by merger SVN Crossroads Management, LLC*, originally filed in Circuit Court of the Twenty-Second Judicial Circuit, McHenry County, Illinois under Case No. 17 AR 147, and

subsequently removed to the United States District Court for the Northern District of Illinois, where it is currently pending as Case No. 3:18-cv-50011 (the "Underlying Lawsuit"). (Doc. 10, ¶ 2).

5.   The Amended Complaint alleges that Crossroads tendered the Underlying Lawsuit to Aspen for coverage, defense, and indemnification under an insurance policy issued by Aspen to non-parties Commercial Industrial Building Owner's Alliance, Inc. and 1110 Green, LLC ("the Aspen Policy"). (Doc. 10, ¶ 29; *see also* Doc. 10-3, Crossroads' February 23, 2018 tender of defense and indemnity letter, Exhibit C to Amended Complaint).

6.   Aspen denied Crossroads' tender, giving rise to the controversy at issue in the Amended Complaint. (Doc. 10, ¶¶ 30-33).

7.   On August 28, 2018, counsel for Crossroads advised the undersigned counsel that the Underlying Lawsuit has been resolved. (See August 28, 2018 email from Paige M. Neel to Matthew M. Murphy, attached hereto as **Exhibit A**).

8.   Counsel for Crossroads also confirmed that Crossroads "therefore withdraws the tender to 1110 Green LLC and its insurer [Aspen] as articulated in my February 23, 2018, letter." (**Exhibit A**).

9.   Based on Crossroads' representation that it has withdrawn its tender for coverage, defense, and indemnification under the Aspen Policy in connection to the Underlying Lawsuit, an actual controversy between Aspen and Crossroads no longer exists.

10.   Therefore, Aspen stipulates to dismiss Crossroads from this matter, without prejudice, with each party to bear its own costs.

11.   After Crossroads is dismissed, all defendants will have been dismissed from this matter, without prejudice, and the court can terminate this case.

WHEREFORE, Plaintiff, ASPEN SPECIALTY INSURANCE COMPANY, by counsel, requests this Honorable Court Dismiss, without Prejudice, the Amended Complaint against CROSSROADS REAL ESTATE PARTNERS, LLC, and for all other relief the court deems proper.

August 29, 2018   Respectfully submitted,

                                                 ASPEN SPECIALTY INSURANCE COMPANY

By: _____
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CERTIFICATE OF SERVICE

       The undersigned, Andrew S. Chestnut, hereby certifies that he served the aforementioned document and documents referenced therein upon the following recipients via electronic mail on this 29th day of August, 2018:

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